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January 4, 2010

Chairman Julius Genachowski
Commissioner Meredith Attwell Baker
Commissioner Mignon Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: GN Docket No. 09-191 – In the matter of Preserving the Open Internet

Dear Chairman Genachowski and Commissioners:

While I think we can all agree that an “Open Internet” is a necessity, *Nevada Hispanic Services, Inc.* and our members have significant concerns that the Federal Communications Commission’s proposed rulemaking would do very little to “open” the Internet or preserve its evolution away from government interference or involvement.

The proposed rules under consideration today are wholly unnecessary, in the opinion of our membership. We are gravely concerned that the proposed rules would do far more harm than good, stifling the free and open development and growth of the Internet that we’ve enjoyed over the past decade.

So-called “network neutrality” could stifle the very network expansion and infrastructure development that is driving greater job creation, consumer choice, access and affordability in broadband in recent years. In fact, this very body, although under different leadership at the time, made that concern quite clear in its *2005 Wireline Broadband Order* that any regulation of providers in a highly “dynamic” market such as this would stifle competition and harm consumers.

According to *Broadband for America*, just 54.3% of Nevadans have broadband access. With Hispanics making up 20% of the state’s population, Hispanics represent a major segment of the population – a population whose access to the latest technology is critical to the future of

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the state. New regulation will only hinder access to the nation's communications infrastructure rather than increase it.

There is a bright spot among our community. Based on a study published by The Hispanic Institute and Mobile Future, Hispanics are among the most avid users of mobile broadband despite trailing other U.S. populations in overall Internet access. Thanks in part to mobile communications networks and access to affordable technology, Hispanics are taking advantage of the ability to connect family, friends and employers. This progress could not have occurred in an environment burdened by over-reaching government regulation; future progress can only occur in a dynamic communications market driven by consumers rather than regulatory bodies.

Regulations would hit late adopters first and slow the deployment of the infrastructure needed to reach underserved populations. The key to future growth and increased adoption is through continued competition, greater access and new mobile technologies that cater to our community – new regulations on the Internet only run counter this. We believe increased access can only be achieved by a deregulated broadband marketplace—much like we enjoy today.

We believe the path to an open Internet is a road we are already traveling down, not a sharp turn toward government control and regulation of this vital commodity.

Sincerely,

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